

Message Text

UNCLASSIFIED

PAGE 01 PARIS 10057 110206 Z

62

ACTION EB-11

INFO OCT-01 EUR-25 ADP-00 SSO-00 NSCE-00 USIE-00 INRE-00

CAB-09 CIAE-00 COME-00 DODE-00 INR-10 NSAE-00 RSC-01

FAA-00 SS-15 NSC-10 PA-03 PRS-01 L-03 RSR-01 /090 W
----- 033054

O R 101943 Z APR 73

FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 9115

INFO AMEMBASSY ROME

UNCLAS PARIS 10057

E. O. 11652: N/ A

TAGS : ETRN, FR

SUBJECT : CIVAIR- AERES AIR CARGO CHARTER

REF : (A) STATE 66100, (B) PARIS 9980

1. REF (A) CROSSED WITH REF (B) REPORTING SGAC REFUSAL AUTHORIZE AERES FLIGHT.
 2. EMBASSY CONTACTED SGAC ANEW PURSUANT REF (A) INSTRUCTION BUT THIS APPROACH WAS UNAVAILING. SGAC REFUSED CONSIDER EARLIER DENIAL.
 3. IN FACT, SGAC CONTENTED THAT IT HAD NOT REJECTED AERES REQUEST FOR AUTHORIZATION BUT HAD SIMPLY " REFUSED RECEIVE IT." REASON GIVEN, ONCE MORE, WAS THAT SGAC COULD NOT ENTERTAIN REQUEST FOR AUTHORIZATION FROM CARRIER NOT CERTIFICATED BY CAB. WE POINTED OUT THAT SINCE CAB HAD NOT FOUND AERES TO BE ENGAGED IN COMMON CARRIAGE, THIS MEANT THAT AERES WAS ENGAGED IN TRANSPORT UNDER PRIVATE CONTRACT FOR WHICH NO CAB AUTHORITY REQUIRED AND THEREFORE FLIGHT WAS IN ORDER INsofar AS US AUTHORITIES CONCERNED. SGAC FLATLY REFUSED PURSUE THIS LINE OF REASONING, STRESSING THAT FRENCH AUTHORITIES ADMITTED NO SUCH DISTINCTION AS BETWEEN COMMON CARRIAGE AND PRIVATE CONTRACT IN TRANSPORT SERVICES PERFORMED, INDEED, SGAC REASONED, COMPANY COULD FOLLOW UP ONE PRIVATE CONTRACT WITH ANOTHER AND THIS SEEMED NOT MUCH DIFFERENT FROM REGULAR COMMERCIAL CARGO OPERATION.
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4. AS REGARDS APPLICABILITY US REGULATIONS TO AERES CURRENT OPERATIONS, SGAC STRESSED THAT FRENCH REGULATIONS MUST BE COMPLIED WITH BEFORE AERES COULD FLY CARGO INTO FRANCE. HENCE, REQUESTS FOR FLIGHT AUTHORIZATION WOULD BE ACCEPTED ONLY FOR THOSE US CARRIERS CERTIFICATED BY CAB AS AUTHORIZED ENGAGE IN SUCH TRAFFIC TO FRANCE AND OF WHICH SGAC OFFICIALLY NOTIFIED. THIS WAS CLAIMED TO BE HARD AND FAST RULE WHICH SGAC APPLIES TO ALL THIRD COUNTRIES.

5. REPEATING REF (B) FOR INFO AMEMBASSY ROME.
IRWIN

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*** Current Handling Restrictions *** n/a

*** Current Classification *** UNCLASSIFIED

Message Attributes

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EO Systematic Review
30 JUN 2005

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